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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/806,481	04/12/2001	Chang Wan Ryoo	P66550US0	5900

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JACOBSON HOLMAN PLLC
400 SEVENTH STREET N.W.
SUITE 600
WASHINGTON, DC 20004

EXAMINER

KIM, AHSHIK

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 05/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/806,481

Applicant(s)

RYOO, CHANG WAN

Examiner

Ahshik Kim

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02/13/03 (amendment).
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Receipt of Amendment

1. Receipt is acknowledged of the amendment filed on February 13, 2003. In the
5 amendment, claims 5-7 were canceled, and claims 1-4 were amended. Currently, claims 1-4 remain for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the
10 basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

15 (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

- 20 2. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Risafi et al. (US 6,473,500).

Re claim 1, Risafi teaches an electronic payment system (col. 1, lines 10+; col. 10, lines 1+) comprising a prepaid card in the form of smart card or a magnetic stripe card (col. 1, lines 54+). As indicated in the abstract, the card is used to purchase a wide range of goods and
25 services and to perform other functions (see abstract; col. 17, line 66 – col. 18, line 3). Figure 5a discloses an initial account setup up with PIN assignment and balance (col. 12, lines 26-51). Figure 9a – 9d disclose purchase, use and reloading of the prepaid smart card. Unlike cash card,

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the card account and balance and other pertinent information is stored in the card processing center database (col. 7, lines 47+), and card-providers, purchasers and users, and merchants are inter-connected via telecommunication network (col. 7, lines 30+). Figure 6a shows a settlement aspect of the invention, which might include clearinghouse or a settlement system (col. 10, lines 55+; col. 13, lines 53+).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Risafi et al. (US 6,473,500) in view of Gottfreid (US 6,076,076). The teachings of Risafi have been discussed above. Risafi also disclose that when a card is purchased and activated via "terminal" or "agent", the card number being purchased, along with PIN and amount of purchase is transmitted to the central database (col. 8, lines 53+).

In detailing of the infrastructure of the system (col. 7, lines 37+), it appears that the agent would have access to the Internet page to activate the card (as opposed to activating via terminal). However, Risafi fails to explicitly teach or fairly suggest of selling the pre-paid card over the Internet.

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Gottfreid discloses prepaid print card system (see abstract) wherein the card can be purchased on-line (over the Internet) (col. 1, lines 33+).

In view of Gottfreid's teaching, it would have been obvious to an ordinary skill in the art at the time the invention was made to employ well-known on-line sales mechanism to the teachings of Risafi in order to provide easier access to purchase such pre-paid cards, and thus increase overall sales. Selling services/products over the Internet is well known in the art, and widely used. By allowing the users to purchase the card over the Internet (as opposed to designated sites or via the agents), the users can readily obtain the card. Moreover, such self-purchase over the Internet will lessen the burden of the agents, so that the agents, in turn, can focus their efforts on other important tasks such account maintenance, customer service and sales, and therefore an obvious expedient.

Re claim 3, Risafi further discloses that a recipient of the card can receive PIN number via e-mail (col. 12, lines 26+). A recipient can be self or a designee if the card is to be given as a gift. Since PIN is transmitted via e-mail, a card number can be included in the e-mail, if desired. When changing a PIN or other transaction (col. 12, lines 36+), the recipient can use an agent terminal, an ATM, an IVRU or other approved device, which, in the Examiner's opinion, certainly include an Internet browser allowing the consumers to perform such transaction in efficient manner.

Re claim 4, as shown in step 270 in figure 2, the pre-paid card can be replenished (col. 10, lines 58+). Or a sender can add value to recipient's card (col. 19, lines 28+; See figure 10c, step 1082).

Response to Arguments

4. Applicant's amendment and remarks filed on February 13, 2003 have been fully considered, but they are not persuasive. Accordingly, the rejection made in previous Office
5 Action is maintained.

In the amendment filed, Applicant amended claims 1-4, which clarified some elements disclosed in the claims, which in turn, further limit claimed invention. However, as indicated in paragraph 2 and 3 above, it is the Examiner's opinion that the reference to Risafi or Risafi in view of Gottfreid still teach claimed invention as presented in the amended claims. Although
10 Risafi patent may not use the term "settlement server", any computer(s) which performs settlement function is a settlement server, which Risafi clearly provides.

The amended claims and remarks describing these elements have been carefully reviewed and considered, but they are not persuasive, and therefore, the Examiner has made this Office Action final.

15

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE
20 MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Ahshik Kim* whose telephone number is (703)305-5203 . The examiner can normally be reached between the hours of 6:00AM to 3:00PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (703) 305-3503. The fax number directly to the Examiner is (703) 746-4782. The fax phone number for this Group is (703)308-7722, (703)308-7724, or (703)308-7382.


Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [ahshik.kim@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



Ahshik Kim
Patent Examiner
Art Unit 2876
April 24, 2003



MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800